

### **REMARKS**

The Applicant sincerely appreciates the thorough examination of the present application as evidenced by the Final Office Action of November 4, 2008 (the Office Action).

In particular, the Applicant appreciates the withdrawal of all rejections from the Office Action of June 6, 2008. In response, the Applicant has: amended Claim 1 to provide further clarification thereof; amended Claim 10 to include all recitations of Claim 15 and to provide further clarification thereof; canceled Claim 15; amended Claim 16 to depend from Claim 10; amended Claim 2 to correct a minor typographical error; canceled Claims 11-12; and added new Claims 21-24.

In the following remarks, the Applicant will show that all claims are patentable over the cited art. Accordingly, a Notice Of Allowance is respectfully requested in due course.

#### **Objections Relating To The Drawings Have Been Overcome**

In the previous Amendment, the Applicant added a Replacement Sheet for new Figure 4 to illustrate a mesh having a plurality of layers as requested in the previous Office Action of June 6, 2008. The Replacement Sheet for new Figure 4 shows a mesh having two layers (the minimum number of layers required to define a plurality of layers), and the Replacement Sheet for new Figure 4 is supported in the application as originally filed, for example, by Claim 3. The Final Action, however, has: objected to the labeling of Figure 4 as a "Replacement Sheet" as opposed to a "New Sheet" (Final Action, page 2); asserted that Figure 4 introduces new matter (Final Action, page 3); and conceded that Figure 3 is sufficient to show the subject matter of Claim 3 (Final Action, page 3); and withdrawn the previous objection to the drawings relating to Claim 3 (Final Action, page 3). Accordingly, the Applicant has withdrawn Figure 4 as noted above to thereby overcome all objections relating thereto.

#### **All Objections To The Specification Have Been Overcome**

The Final Action has objected to the specification stating that Claims 11 and 12 introduce new matter. While the Applicant maintains that Claims 11 and 12 do not introduce

new matter, the Applicant has canceled Claims 11 and 12 to reduce issues for further consideration.

In the section of the Final Action relating to the Specification, the Final Action takes the position that Figure 4 introduces new matter, that Figure 3 is sufficient to show the subject matter of Claim 3, and that the previous objection to Claim 3 is withdrawn. As noted above, Figure 4 has been withdrawn to reduce issues for further consideration.

#### **Status Of Amendments**

Page 3 of the Final Action indicates that the prior amendments to the specification have not been entered and that Figure 4 has not been entered. Accordingly, the specification remains in the same condition as originally filed with the addition of the RELATED APPLICATIONS section that was added in the Preliminary Amendment of December 5, 2005.

Regarding the Figures, page 3 of the Final Action states that newly added Figure 4 has not been entered. Accordingly, the drawings include Figures 1-3 presented as REPLACEMENT SHEETS with the Amendment of August 14, 2008.

Regarding the claims, pages 3-4 of the Final Action state that Claims 1, 4, 5, and 7 have been amended, that Claims 2 and 3 remain as previously presented, that Claim 6 has been canceled, and that Claims 8-20 are newly added. Accordingly, the claim amendments of August 14, 2008, have been entered.

#### **All Claim Objections Have Been Overcome**

Page 4 of the Final Action has objected to a misspelling in Claim 2. In response, Claim 2 has been amended to provide the correct spelling of the word "microphone."

#### **All Rejections Under 35 U.S.C. Sec. 112 Have Been Overcome**

Claims 11 and 12 have been rejected under 35 U.S.C. Sec. 112. As noted above, however, Claims 11 and 12 have been canceled to reduce issues for further consideration. Accordingly, all rejections under 35 U.S.C. Sec. 112 have been overcome.

**Independent Claims 1 And 10 Are Patentable**

Claims 1 and 10 have been rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 4,862,507 Woodard. The Applicant respectfully submits, however, that Claims 1 and 10 are patentable over Woodard for at least the reasons discussed below. Claim 10, for example, recites a microphone for a mobile electronic device, the microphone comprising:

a microphone pick up housing having a cylindrical shielding surface defining cylindrical chamber therein wherein the cylindrical shielding surface has at least three elongated holes therethrough, wherein a length of each of the elongated holes in a longitudinal direction of the cylindrical chamber is greater than a width thereof in a direction orthogonal with respect to the longitudinal direction wherein the at least three elongated holes are aligned in the longitudinal direction;

a microphone pick up located in the cylindrical chamber defined by the microphone pick up housing wherein the microphone pick up is surrounded by the at least three elongated holes; and

a noise reduction element covering the elongated holes. (Underline added.)

In support of the rejection, the Final Action states that Woodard teaches a microphone for a mobile electronic device comprising:

a microphone pick up housing (front and rear supports ; Fig. 4 #17 and #18) having a cylindrical shielding surface (defined by Fig. 5 ##30, 32, 34, 36, 38, and 40) defining cylindrical chamber (including central cavity; '507 Fig. 4 #25) therein wherein the cylindrical shielding surface has an elongated hole therethrough ('507 Figs. 5-6 illustrate a total of 6 "elongated holes" between ribs ##30, 32, 34, 36, 38, 40), wherein a length of the elongate hole in a longitudinal direction of the cylindrical chamber is greater than a width of the elongate hole in a direction orthogonal with respect to the longitudinal direction ('507 Fig. 5 illustrates openings between the ribs which extend in the direction defined by the principal axis 15, wherein the longitudinal direction is illustrated as being longer than the direction orthogonal to the longitudinal direction)... (Underline added.)

Final Action, page 7. Accordingly, the Final Action appears to interpret the openings between ribs of front support 17 (shown in Figures 4-6 of Woodard) as elongated holes through a microphone pick up housing. To the extent that the openings between ribs of front support 17 of Woodard are interpreted as elongate holes in a microphone housing, however, Woodard fails to disclose that a microphone pick up is surrounded by the elongated holes as

recited in Claim 10. In the structure of Woodard, "The head 14 includes internally an axially directed microphone element." Woodard, col. 3, lines 61-63. Because the microphone element of Woodard is included in head 14 (shown in Figure 4), the microphone element of Woodard is not surrounded by openings of front support 17.

Accordingly, the Applicant respectfully submits that Claim 10 is patentable. The Applicant further submits that Claims 1 and 24 are patentable for reasons similar to those discussed above with respect to Claim 10. In addition, dependent Claims 2-9 and 13-23 are patentable at least as per the patentability of Claims 1 and 10 from which they depend.

#### **Various Dependent Claims Are Separately Patentable**

Dependent Claims 2-9 and 13-23 are patentable for at least the reasons discussed above with respect to independent Claims 1 and 10 from which they depend. Various ones of these dependent Claims are also separately patentable.

Dependent Claims 21 and 23, for example, recite that the microphone pick up comprises a directional condenser type microphone pick up that is surrounded by the at least three elongated holes. In Woodard, the microphone element is an "acoustic transducer that converts acoustical energy to electrical energy." Woodard, col. 3, lines 32-33. Woodard, however, fails to disclose a directional condenser type microphone pick up, much less a directional condenser type microphone pick up that is surrounded by at least three elongated holes. Accordingly, dependent Claims 21 and 23 are separately patentable over the cited art. In addition, independent Claim 24 is also patentable for these additional reasons.

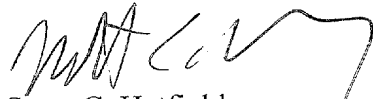
Dependent Claim 22 includes the additional recitation that the directional condenser type microphone pick up is canted at an angle relative to the longitudinal direction of the cylindrical chamber. In contrast, Woodard discusses "an axially directed microphone element." Woodard, col. 3, lines 62-63. Accordingly, dependent Claim 22 is separately patentable for this additional reason.

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### CONCLUSION

Accordingly, the Applicant submits that all pending claims in the present application are in condition for allowance, and a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact the undersigned attorney by telephone should any additional issues need to be addressed.

Respectfully submitted,



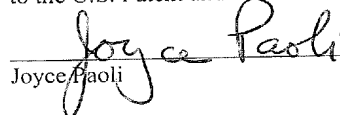
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#### CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on January 5, 2009.

  
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